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Health System Law and Policy

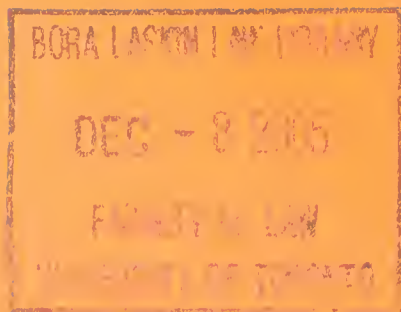
Volume I

Professor Colleen M. Flood

January – April, 2006

**Faculty of Law
University of Toronto**

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Health System Law and Policy

Volume I

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HEALTH SYSTEM LAW AND POLICY
[LAW 404HS]

January –April 2006
Monday: 4:10-6:00 pm, FLA

COURSE OUTLINE

January 9th
INTRODUCTION

- Expectations regarding seminar participation
- Paper selection and writing
- Handout of possible paper topics
- Discussion of an interdisciplinary approach to policy analysis: law, economics, and political science
- Overview of the course

Course Outline i-vi
Basic Information vii
Possible Paper Topics viii-xi
Research Resources xii-xix

VOLUME ONE

January 16th
Chapter One
THE CASE FOR GOVERNMENT INTERVENTION IN HEALTH CARE:
MARKET FAILURE AND DISTRIBUTIVE JUSTICE

C.M. Flood, “Chapter 2: Arguments in Economics and Justice for Government Intervention in Health Insurance and Health Service Markets” in C.M. Flood, ed., *International Health Care Reform: A Legal, Economic and Political Analysis* (London: Routledge, 2000)I, 1-21

P.T. Menzel, “Equality, Autonomy and Efficiency: What Health Care System Should We Have?” (1992) 17:1 Jnl. of Med. & Philosophy 33I, 21-38

Ronald Dworkin, "Justice in the Distribution of Health Care" (1993) 38 McGill L.J. 883 I, 39-47

R.G. Evans, "Going for the Gold: The Redistributive Agenda Behind Market-Based Health Care Reform" (1997) 22:2 Journal of Health Politics, Policy and Law 42 I, 48-67

Supplementary Reading

R. Korobkin, "Symposium: Determining Health Care Rights from Behind a Veil of Ignorance" (1998) U. Ill. L. Rev. 801.

J. Dougherty, "An Axiology for National Health Insurance" (1992) 20:1-2 Law, Medicine, & Health Care 82.

T. Rice, "Can Markets Give Us The Health System We Want?" (1997) 22:2 Jnl. of Health Politics, Policy and Law 383.

N. Barr, "Economic Theory and the Welfare State: A Survey and Interpretation" (1992) XXX J. Econ. Lit. 741, at Part VI. "Assessment 2: Medical Care".

S. Rathgeb Smith & M. Lipsky, "Privatization in Health and Human Services: A Critique" (1992) 17:2 Jnl. of Health Politics, Policy and Law 233.

January 23rd

Chapter Two

AN OVERVIEW OF THE CANADIAN HEALTH CARE SYSTEM: DO WE NEED MORE THAN JUST MONEY?

C. M. Flood, "The Anatomy of Medicare", in J. Downie, T. Caulfield & C. Flood eds., *Canadian Health Law and Policy*, 2nd ed. (Toronto: Butterworths, 2002) II, 1-28

Gerard W. Boychuk, "The Changing Political and Economic Environment of Health Care in Canada", Discussion Paper No. 1, Commission on the Future of Health Care in Canada, II, 29-54

C. M. Flood & T. Archibald, "The Illegality of Private Health Care in Canada" (2001) 164:6 Can Med Assoc Journal 825 II, 55-60

Preliminary Provincial and Territorial Government Health Expenditure Estimates 1974-1975 to 2005-2006, CIHI (2005) pp 8-15. II, 61-68

Jeffrey Simpson, "Why health care posturing won't amount to a hill of beans" *The Globe and Mail* (November 9, 2005) A19 II, 69-70

Supplementary Reading

Commission on the Future of Health Care in Canada, *Building on Values: The Future of Health Care in Canada - Final Report* (Saskatoon: Commission on the Future of Health Care in Canada, 2002) (Commissioner: Roy J. Romanow, Q.C.).

The Standing Senate Committee on Social Affairs, Science and Technology, *The Health of Canadians – The Federal Role, Volume Six: Recommendations for Reform* (Ottawa: Senate Standing Committee on Social Affairs, Science and Technology, 2002) (Chair: The Honourable Michael J.L. Kirby).

C. David Naylor, “Health Care in Canada: Incrementalism Under Fiscal Duress” (1999) 18:3 Health Affairs 9.

January 30th

Chapter Three

THE MEDICARE BASKET: HOW DO WE DECIDE WHAT TO PUBLICLY FUND?

D. Callahan, “What is a Reasonable Demand on Health Care Resources: Designing a Basic Package of Benefits” (1992) 8 Jnl of Contemporary Health Law 1 III, 1-8

L. Jacobs, T. Marmor & J. Oberlander, "The Oregon Health Plan and the Political Paradox of Rationing" (1999) 24:1 Jnl of Health Politics, Policy and Law 161 III, 9-20

Colleen M. Flood, Mark Stabile & Carolyn Tuohy "What is In and Out of Medicare? Who Decides?" in Colleen M. Flood, ed., *Just Medicare* (Toronto: University of Toronto Press, expected February 2006) III, 21-43

Colleen M. Flood "Conclusion" in Colleen M. Flood, ed., *Just Medicare* (Toronto: University of Toronto Press, expected February 2006) III, 44-49

Kevin. A. Schulman *et al.*, “The Effect of Race and Sex on Physicians’ Recommendations for Cardiac Catheterization” (1999) 340 The New England Jnl. of Medicine 618 III, 50-58

Government of Ontario, Press Release, “Update – Clarification of OHIP coverage of hearing tests” (9 August 2001) III, 59-61

Jennifer Dales, "Delisting Chiropractic and Physiotherapy: False Saving?" (2005) 172:2 CMAJ 166 III, 62

Lisa Priest, “Owners of “Worthless” Clinic Suing Ontario: Physiotherapists blame province for loss of patient referrals after services delisted” *The Globe and Mail* (Nov 7, 2005) A6 III, 63-64

February 6th

Chapter Four

ADMINISTRATIVE APPEALS AND ADMINISTRATIVE LAW CHALLENGES TO RATIONING HEALTH CARE

- C. Abraham, "Tenacious woman scores medical victory,"
The Globe and Mail (Fri., Aug. 27, 1999) A1 (Excerpted and edited) IV, 1-2
- Health Insurance Act*, R.S.O. H.6, ss. 20-21. IV, 3-4
- Health Insurance Act*, General, R.R.O. 1990, Reg. 552, s. 28.4 IV, 5-6
- Stein v. Québec (Regie de l'Assurance-maladie)*, [1999] Q.J. No. 2724 IV, 7-16
- Shulman v. College of Audiologists and Speech Language Pathologists of Ontario*, [2001] O.J. No. 5057 (Div. Ct.) IV, 17-28
- Caroline Pitfield & Colleen M. Flood "Section 7 'Safety Valves': Appealing Wait Times Within A One-Tier System" in Colleen M. Flood, Kent Roach & Lorne Sossin, eds., *Access to Care, Access to Justice: The Legal Debate Over Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) (Copy available at: <http://www.utppublishing.com/pubstore/>) IV, 29-41

Supplementary Reading:

Colleen M. Flood, "Just Medicare: The Role of Canadian Courts in Determining Health Care Rights and Access" Winter 2005 Jnl of Law, Medicine and Ethics (forthcoming).

February 13th

Chapter Five

CHARTER AND CONSTITUTIONAL CHALLENGES TO RATIONING HEALTH CARE IN CANADA

- Chaoulli v. Quebec (Attorney General)*, 2005 SCC 35, edited version found as Appendix C to Colleen M. Flood, Kent Roach & Lorne Sossin, eds., *Access to Care, Access to Justice: The Legal Debate Over Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) (Copy available at: <http://www.utppublishing.com/pubstore/>) V, 1-24
- Chaoulli c. Québec (Procureure générale)* [2000] J.Q. No. 479 (QL) (Quebec Superior Court), edited version found as Appendix A to Colleen M. Flood, Kent Roach & Lorne Sossin, eds., *Access to Care, Access to Justice: The Legal Debate Over Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) (Copy Available at: <http://www.utppublishing.com/pubstore/>) V, 25-38

Auton (Guardian ad litem of) v. British Columbia
 (Attorney General), 2004 SCC 78 (edited) V, 39-68

Colleen M. Flood, Mark Stabile & Sasha Kontic, “Finding Health Policy ‘Arbitrary’: The Evidence on Waiting, Dying, and Two-Tier Systems” in Colleen M. Flood, Kent Roach & Lorne Sossin, eds., *Access to Care, Access to Justice: The Legal Debate Over Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) (Copy available at: <http://www.utppublishing.com/pubstore/>) V, 69-81

Stanley H. Hartt, “Arbitrariness, Randomness and the Principles of Fundamental Justice” in Colleen M. Flood, Kent Roach & Lorne Sossin, eds., *Access to Care, Access to Justice: The Legal Debate Over Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) (Copy available at: <http://www.utppublishing.com/pubstore/>) V, 82-90

Donna Greschner & Steven Lewis, “Auton and Evidence-Based Decision-Making: Medicare in the Courts” (2003) 82 Canadian Bar Review 501 V, 91-107

Health Edition Online, “Le Devoir: Quebec to Allow Private Health Coverage” November 11, 2005 V, 108

Supplementary Reading

Cameron v. Nova Scotia (Attorney General),
 [1999] N.S.J. No. 297, [1999] 177 DLR (4th) 611.

Stanley H. Hartt & Patrick J. Monahan, *The Charter and Health Care: Guaranteeing Timely Access to Health Care for Canadians*, C.D. Howe Institute Commentary, No. 164, May 2002, pp. 8—28.

NO CLASSES—READING WEEK – February 20-24

February 27th

Chapter Six

THE MEDICARE BASKET: HOW DO OTHER COUNTRIES DECIDE?

Lisa Forman, "Ensuring Reasonable Health: Health Rights, the Judiciary and South African HIV/AIDS Policy" Winter 2005 Journal of Law, Medicine and Ethics (Forthcoming) VI, 1-14

Ole Frithjof Norheim, "Rights to specialized health care in Norway: a normative perspective" Winter 2005 Jnl of Law, Medicine and Ethics (Forthcoming) VI, 15-40

Carmel Shalev & David Chinitz, "Joe Public v. The General Public: The Role of the Courts in Israeli Health Care Policy" Winter 2005 Journal of Law, Medicine and Ethics (Forthcoming) VI, 41-55

Joanna Manning & Ron Paterson, "Prioritization" Rationing Health Care in New Zealand" Winter 2005 Jnl of Law, Medicine and Ethics (Forthcoming) VI, 56-72

Daniels, N. & J. Sabin, *Setting limits fairly: Can we learn to share scarce medical resources?* (New York: Oxford University Press, 2002) c. 4 ("Accountability for Reasonableness") VI, 73-85

R v. Cambridge District Health Authority ex parte B, [1995] 1 FLR 1055 VI, 86-94

March 6th

Chapter Seven

ABORIGINAL HEALTH & THE DETERMINANTS OF HEALTH

John O'Neil, Laurel Lemchuk-Favel, Yvon Allard & Brian Postl, "Community Healing and Aboriginal Self-Government", in H. H. Hylton, ed., *Aboriginal Self-Government in Canada: Current Trends and Issues*, 2nd ed (Saskatoon: Purich Publishing Inc., 1999) 130-156VII, 1-14

Constance MacIntosh, "Jurisdictional Roulette: Constitutional and Structural Barriers to Aboriginal Access to Health" in C.M. Flood, ed., *Just Medicare What's In, What's Out, Who Decides* (Toronto: University of Toronto Press, Forthcoming Feb. 2006)VII, 15-38

Janesca Kydd, "The Rural Aboriginal Health Gap: The Romanow Solutions?" in C.M. Flood, ed., *Just Medicare: What's In, What's Out, Who Decides* (Toronto: University of Toronto Press, Forthcoming February 2006)VII, 39-56

"The Treaty Right to Comprehensive Health Care," First Nations Health News.....VII, 57-58

Joyce Atcheson, "Native Leaders Fear Results of Health Transfer" *Wawatay News* (23 September 1999) VII, 59

To be continued.....

Health System Law and Policy

January – April 2006

Professor Colleen M. Flood

Room 409

Ph: 416-978-4929

Email: colleen.flood@utoronto.ca

Seminar: Monday: 4:10-6:00 pm, FLA

Office Hours: Call or email me to make an appointment

Objectives of Course

The objectives of this course are four-fold:

- to survey a range of topical health system law and policy issues and to acquire the analytical tools needed to understand and resolve these issues;
- to critically analyze how laws and regulations can shape the structure and dynamics of a health care system or respond to different problems that arise within a system;
- to consider what other disciplines, such as economics, political science, philosophy, and sociology, have to contribute to an analysis of these issues;
- further develop your research and writing skills; and
- assist you to write a paper of publishable quality.

Grade Determination

Class Participation – 10%

(Class participation mark includes the submission of a six-page paper outline by **Monday, 27 February 2006 in class. I do not grade the outline but I will give you comments and feedback on your proposal**).

Major Paper – 90%

(Must be submitted by **4:00 pm, 10 April 2006 (NOTE: this is the first day of examinations)**)

In organizing the time you spend on your major paper, ensure you give equal weight to 1. organization and logical flow, 2. analysis and synthesis, and 3. research. You should write a draft of your paper and have a colleague read it through to you and work on it again BEFORE you hand it in.

Plagiarism

Plagiarism is a serious academic offense. If you have any questions regarding what constitutes plagiarism, please ask.

Students Living with Disabilities

Students with permanent or temporary disabilities who would like to discuss classroom or evaluation accommodations are asked to come and see me as soon as possible. You can meet me after class or privately during office hours.

POSSIBLE PAPER TOPICS FOR HEALTH SYSTEMS LAW AND POLICY, 2006

1. Is the *Canada Health Act* a barrier to improving the effectiveness and/or efficiency of health care? How should it be reformed? Is there a better way to govern national standards in health care in Canada?
2. How has the Charter impacted on decisions about what to fund and what not to fund in medicare? Is the Charter a positive or a negative force? Do judges have a good understanding of health policy and do they make the best decisions under s. 1?
3. How do we presently decide what health care should be publicly funded? Is there a better way to do this and, in particular, should there be a greater role for: (pick one of the following) a) The Charter b) Administrative Law c) Citizen participation or d) Explicit rationing
4. What role does judicial review play in ensuring the reasonableness or rationality of decisions about what is in and out of Medicare?
5. What impediments does the current division of constitutional powers between the federal and provincial governments pose to successful health care reform, for example, the creation of a national pharmacare plan. What governance structures should we aspire to, to ensure the best governance of Canadian Medicare?
6. Consider the case for and against devolution of financial and managerial responsibility from provincial government to Regional Health Authorities (which has occurred in all provinces except Ontario). Should Ontario follow the other provinces and devolve power away from the Ministry of Health to Regional Health Authorities? Should these Regional Health Authorities also manage the hospitals?
7. Critique the recommendations of either the Kirby or Romanow Reports. You could focus on Kirby's recommendations for a great role for the private sector. Or Kirby's recommendations for a waiting list guarantee. You could focus on Romanow's recommendations for home care or for pharmacare.
8. The Ontario provincial government is promoting the establishment of private for-profit diagnostic (MRI) clinics. What are the arguments for and against the establishment of for-profit clinics? What threat, if any, do private for-profit clinics pose to the sustainability of publicly-funded health care?
9. Analyze Alberta's *Health Care Protection Act* and the case for and against governments contracting out to competing private for-profit health care providers. Will it generate efficiencies and result in savings that can be reinvested in health care? Or will it result in a reduction in the quality of care delivered and poor working conditions for labour?

10. How should we fund home care services? Should people have some responsibility to pay for home care? Is care delivered in the home different from other kinds of medical care? Should home care services be included under the *Canada Health Act* as “insured services”? If so should the existing prohibitions on “two tier” (preventing people from buying additional quality of care or additional services with private funds) and “user charges” remain?
11. Should prescription drugs be included under the *Canada Health Act* as “insured services”? If so should the existing prohibitions on “two tier” (preventing people from buying additional quality of care or additional services with private funds) and “user charges” remain?
12. Consider the potential impact of one or more of the following on Canada's publicly funded health care system:
 - a. NAFTA
 - b. GATS
 - c. TRIPS
13. Health reformers sometimes suggest giving providers a financial incentive to be sensitive to the cost of the services they deliver or recommend. One suggestion is payment by capitation (a fee for every patient for a fixed period) or giving groups of doctors and nurses a budget to manage covering the needs of their patients (drugs, home care, hospital services). What are the advantages and disadvantages of moving away from the present fee-for-service system to a capitation system? In such a case are existing laws and regulations ensuring the quality of care delivered sufficient?
8. Quebec, in pursuit of a prescription drug plan covering all of its system, has implemented a managed competition system. How does this model work? What have been the problems of implementation and what are the prospects for success? What are the advantages and disadvantages of a managed competition system as opposed to simply publicly funding all needed drugs?
9. Describe how decisions are currently made under OHIP as to which services are publicly funded. Is the present process fair? What opportunities are there to review these decisions? How could this process be improved?
10. Analyze the advantages and disadvantages of greater public participation in health care rationing decisions with reference to the Oregon Health Care Experiment, New Zealand’s Core Health Services Commission and the Dutch Dunning Committee. What should be the role of citizens and patients in determining what services are publicly funded?
11. Discuss the prospects for success of the appellants in the Chaoulli case. What are the arguments for and against having a “two-tier” system in health care? Would a two-tier system reduce pressures on the public system or would it result in a public system that offered lower quality service?

12. Discuss how the desire to have a “one-tier” system with a similar level of service available nation-wide can be resolved with the different medical needs of different population groups i.e. the disabled, the elderly, or Aboriginal people? Does Canada’s emphasis on “one-size-fits-all” serve Aboriginal people well?
13. What are the causes of the waiting list problems in Canada and how do we solve this problem? Could a Patients' Bill of Rights help?
14. Assess regulation of some element of the private health care sector (e.g. one of the following):
 - a. In vitro fertilization clinics
 - b. drugs,
 - c. home care services,
 - d. biotechnology,
 - e. private rest homes
 - f. medical equipment

Is there any truth to the claim that we are so preoccupied with the public sector that we do not have effective regulation of the private sector?
15. Myriad, a US company, claims that the Ontario government must recognize their patent and purchase their BRCA1/BRCA1 genetic test for breast cancer rather than rely on a test produced locally. Is Myriad's claim valid? What are the policy implications for the Ontario Ministry of Health?
16. Consider and discuss what impact the proximity of the U.S. has upon the Canadian health care system i.e. medical malpractice claims, Canadian buying in the U.S. services that are not available here or for which there are long waits, the flow of physicians and nurses from the U.S. to Canada etc. What stresses does this proximity put on formulation of health policy in Canada?
17. Examine the role of self-regulating health professions and whether self-regulation is sufficient to ensure the quality of health services supplied
18. Discuss whether or not medical malpractice suits protect the quality of health care services supplied. How can the tort system be reformed to better protect the quality of health care services?
19. Consider whether physicians, hospitals and other health care providers should be able to argue in defense to a medical malpractice action that government or a private insurer limited the resources at their disposal.
20. Analyze the advent of Telemedicine *or* Internet medicine and what if any regulatory changes are needed in light of these advances in technology.

21. Analyze and discuss the legal and other mechanisms available to ensure that there are sufficient physicians in remote and rural areas.
22. Discuss and critique the present regulatory protection offered by Canada's Health Protection Branch. What, if anything, needs to be done to improve the quality of regulatory oversight?
23. What (if any) changes need to be made to Ontario's approach to public health to avoid instances like the Walkerton tragedy. Are sufficient resources being devoted to public health or are the benefits too long-term for the realization of political capital and so therefore public health does not attract sufficient investment?
24. Is there conflict between health policy values and Charter values (as played out in *Eldridge*, *Cameron*, *Auton*, *Montfort*, etc.)? Do you think that the judges in these Charter cases have a sufficient understanding of the structure and dynamics of the Canadian health care system?
25. How should public health be funded? Who should have responsibility for governance of public health, the provinces or the federal government?
26. Did the Canadian health care system respond appropriately during the SARS crisis? If not, what reforms are needed to ensure that we respond better in the future in the event of another SARS crisis?
27. A Health Council has been established to ensure better accountability and reporting in the Canadian health care system. Do you think the Health Council will improve the quality of health care debate and reform across Canada? Why/why not?
28. Discuss the legacy of Jean Chrétien and his government to health policy and health reform through the lens of the Health Accord 2000 and the Health Accord 2003. Has the Liberal government, in your view, met the challenges in health care in a way that will ensure the sustainability of publicly-funded health care?
29. Critique the Republicans new prescription plan for Medicare beneficiaries in the US. Who are the winners and loser under this new plan? Is it sustainable?
30. Will the US ever have publicly-funded health care for all its citizens? What conditions will be necessary for this to happen? If you don't think it's possible, explain why that is so.

THESE TOPICS ARE ONLY SUGGESTIONS – YOU MAY USE ANY QUESTION AS A BASE TO DEVELOP A DIFFERENT QUESTION – OR YOU MAY THINK OF A COMPLETELY DIFFERENT QUESTION. PICK SOMETHING YOU FEEL PASSIONATE ABOUT.

▣^{TOP} (AVAILABLE ONLINE AT
<http://www.law.utoronto.ca/healthlaw/>)

Health Law Journals

This list of health law journals was prepared by Ted Tjaden (tel: 978-3749), Coordinator of Information Services at the [Bora Laskin Law Library](#). The list is intended for use by members of the [U of T Faculty of Law](#). Most of the links below assume you are using a Web browser on campus or have a proxy server on your computer at home. [Information on setting up a proxy server at home](#) is available. All journals are full-text unless otherwise indicated. If needed, search [UTCat](#) for titles or [search all electronic resources by title available online through Robarts](#). The links in the table below are divided into the following categories:

- [Health Law Journals Available through U of T Electronic Resources](#)
- [Online Journal Indexes For Searching for Articles](#)
- [List of Health Law Journals Available on Westlaw, Lexis and QL](#)

Health Law Journals Available through U of T Electronic Resources

- [AG Bioethics Forum](#)

From the "free" website of the Iowa State University Bioethics Program. The *Forum* is a newsletter that covers a range of ethical issues in the non-medical life sciences. Since October 1988, philosophers and life scientists have grappled in these pages with everything from herbicide resistant plants to transgenic animals.

- [Canadian Bioethics Report](#)

From the "free" website of the CMA.

- [Ethics](#) (via Expanded Academic ASAP)

Click on Proceed and then choose the link for Expanded Academic ASAP 1996 - current, with access to backfile (1980 - 1995).

- [Hastings Center Report](#)

Citations: Feb 1988 - current; Abstracts: Feb 1988 - current; Full Text: Jan 1994 - current; Image: Feb 1988 - current; Text+Graphics: Nov 1996 - current

- [Health Affairs](#)

Full-text, graphics and images. Scope: From Vol. 6(4) 1987

- [Health Care Management Review](#)

Full-text, graphics and images. Scope: From Vol. 4(2) 1979

- [Health Legislation and Regulation](#)

Citations and abstracts only. Scope: From Nov 9, 1988; Vol.14, Iss.44.

- [JAMA; The Journal of the American Medical Association](#)

Full-text, graphics and images

- [Journal of Law, Medicine & Ethics, The](#)

Citations: Jan 1989 - current; Abstracts: Jan 1989 - current; Full Text: Jan 1997 - current;
Image: Jan 1997 - current; Text+Graphics: Jan 1997 - current

- [Journal of Medical Ethics](#)

Citations: Mar 1991 - current; Abstracts: Mar 1991 - current; Full Text: Feb 1995 - current;
Image: Mar 1992 - current; Text+Graphics: Feb 1996 - current

- [The Journal of Mental Health Policy and Economics](#)

Abstracts for current year; tables of contents for earlier years; no full text

- [Kennedy Institute of Ethics Journal](#)

v.6:no.1 (1996:Mar.) - . The *Kennedy Institute of Ethics Journal* offers a scholarly forum for diverse views on major issues in bioethics, such as active euthanasia, fetal tissue research, human embryo cloning, genetics, health care reform, and organ transplantation. Each issue includes "Scope Notes," an overview and extensive annotated bibliography on a specific topic in bioethics, and "Bioethics Inside the Beltway," a report written by a Washington insider updating bioethics activities on the federal level. Published for the Joseph and Rose Kennedy Institute of Ethics.

- [Lancet](#)

Citations: Jan 1988 - current; Abstracts: Jan 1988 - current; Full Text: May 1995 - current;
Image: Dec 1995 - current; Text+Graphics: Dec 1995 - current

- [Lancet](#)

OVID version.

- [MEDLINE](#) (OVID)

OVID version. 1996 to current.

- [MEDLINE](#) (Cambridge Scientific)

1992 to present.

- [MEDLINE](#) (OCLC FirstSearch)

1965 to current.

- [New England Journal of Medicine](#) (OVID)

Full-text (over 300 issues)

- [Political Studies](#)

Citations: Mar 1989 - current; Abstracts: Mar 1989 - current.

- [Philosophy and Public Affairs](#)

Citations: Jan 1989 - current; Abstracts: Jan 1989 - current; Full Text: Jan 1994 - current; Image: Jan 1990 - current; Text+Graphics: Oct 1996 - current

- [Political Theory](#)

Scope: from Vol. 19(1) 1989 to present

- [Trends in Health Care, Law & Ethics](#)

Citations and abstracts only. Scope: Citations: Jan 1993 - Oct 1995; Abstracts: Jan 1993 - Oct 1995

Journal Indexes (Related to Law or Health)

Use the indexes below to search for law-related articles. Search by author, title, subject or keyword.

- [Index to Canadian Legal Literature](#)

Scope: 1987 to current

- [Index to Legal Periodicals and Books](#) (Wilson)

Scope: August 1981 to current

- [Index to Foreign Legal Periodicals](#)

Scope: 1985 to current

- [Expanded Academic Index](#)

Click on Proceed and then choose the link for Expanded Academic ASAP 1996 to current, with access to backfile (1980 - 1995).

Use this database to find information on: Astronomy, Religion, Law, History, Psychology, Humanities, Current Events, Sociology, Communications and the General Sciences.

- [Canadian Periodical Index](#)

Click on Proceed and then choose the link for CPI.Q 1988 - Jul 1999.

Use this database, designed for public, academic, and school libraries, to search a comprehensive list of Canadian and international journals, magazines, newspapers, and other references. CPI.Q. includes more than 400 titles with full text articles from over 160 of these periodicals, as well as Gale Research reference data and the full text of selected sections of The Globe and Mail, Canada's national newspaper.

- [BIOETHICSLINE Plus](#)

1973 to current. Maintained by the U.S. National Library of Medicine and the Kennedy Institute of Ethics at Georgetown University, BIOETHICSLINE Plus focuses on questions of ethics and public policy in the fields of health care and biomedical research. The database provides citations on such topics as euthanasia, organ donation and transplantation, the allocation of health care resources, AIDS, patients' rights, codes of professional ethics, new reproductive technologies, genetic engineering, abortion, behavior control, mental health therapies, and human experimentation. BIOETHICSLINE Plus contains over 44,000 records from 1973 to the present.

- HealthSTAR

HealthSTAR contains citations to the published literature on health services, technology, administration, and research. It focuses on both the clinical and non-clinical aspects of health care delivery. The following topics are included: evaluation of patient outcomes; effectiveness of procedures, programs, products, services and processes; administration and planning of health facilities, services and manpower; health insurance; health policy; health services research; health economics and financial management; laws and regulation; personnel administration; quality assurance; licensure; and accreditation.

- Science Citation Index (Expanded)

1993 to date. The Science Citation Index is a multidisciplinary database, with searchable author abstracts, covering the journal literature of the sciences. It indexes 5,300 major journals across 164 scientific disciplines, covering approximately 2,000 more journals than its SCI print and CD-ROM counterparts, with all cited references captured.

- Social Sciences Citation Index

1993 to date. The Social Sciences Citation Index is a multidisciplinary database, with searchable author abstracts, covering the journal literature of the social sciences. It indexes 1,700 journals spanning 50 disciplines, as well as covering individually selected, relevant items from over 3,300 of the world's leading scientific and technical journals.

- Web of Science

The Web of Science is the powerful new interface that provides Web access to the Science Citation Index Expanded(TM), Social Sciences Citation Indexyn, and Arts & Humanities Citation Indexyn (formerly SciSearchyn, Social SciSearchyn, and Arts & Humanities Searchyn). Designed exclusively by the Institute for Scientific Information (ISI) for its proprietary Citation Databases, the Web of Science provides researchers with navigational and retrieval functions only possible through the powerful combination of citation indexing and enabling Web technology.

List of Health Law Journals Available on Westlaw, Lexis and QL

The following journals or databases are available on one or more of Westlaw, Lexis or QUICKLAW.

- American Journal of Law & Medicine

Lexis LAWMED from v.7, 1981

Westlaw AMJLM from v.15, 1989, Full Coverage 19:3 (1993)

- Andrews Health Care Fraud Litigation Reporter

Lexis NEWS (ANDRWS) from March 1996

Westlaw ANHCFLR from November 1996

- Andrews Health Law Litigation Reporter

Lexis NEWS (ANDRWS) from March 1996
Lexis HLTHLJ from v.1, 1993
QUICKLAW HLJA from v.5, 1997
- Health Law Vigil

Lexis HEALTH (VIGIL) from January 1984 to December 1988
- Health Lawyer

Westlaw HTHLAW from v.4, Summer 1990
- Health Matrix: Journal of Law-Medicine

Westlaw HTHMTX from (1991) Full Coverage 3:2 (1993)
- Hospital Law

Lexis HEALTH (HOSPLW) from January 1984 to June 1998
- Issues in Law and Medicine

Westlaw ISSULM from 1985
- Journal of Health Politics, Policy & Law

Westlaw JHPPL from v.15, 1990
- Journal of Law & Health

Lexis JLAWH from v.8 nos.1 and 2, 1993
Westlaw JLHEALTH from v.1, 1985
- Journal of Law, Medicine & Ethics

Westlaw JLMEDETH from 1998
- Journal of Legal Medicine

Lexis GENMED (JLM) from March 1996
Westlaw JLEGMED from v.13, 1992
- Medical Devices Litigation Reporter

Lexis NEWS (ANDRWS) from March 1996
Westlaw ANMDLR from November 1996
- Medical Malpractice Law and Strategy

Lexis LEGNEW (LEADER) from 1996
Westlaw MEDMALLST from March 1995

- Medical/Legal Aspects of Breast Implants

Lexis LEGNEW (LEADER) from 1996

- Medical & Medicaid Law Bulletin

Lexis NEWS (LRP) from February 1996

- Medicine and Law

Westlaw MEDLAW from 1997

- NAAG Health Care Fraud Report

Westlaw NAAGHCFR from June 1996

- NAAG Medicaid Fraud Report

Lexis NEWS (AGMFRD) from January 1995

Westlaw NAAGMFR from January 1995

- Nelligan Power Newsletters (Labour, Family, Condo, Health, Employment)

QUICKLAW NPNL from 1992

- Quinnipiac Health Law Journal

Westlaw QHTHLJ from v.1, 1996

WWW Research Tools for Health Law

- Findlaw
<http://lawcrawler.findlaw.com/index.html>
- Cornell Health Law Links
<http://www.law.cornell.edu/topics/health.html>
- HyperGuide to the Mental Health Act (UK)
<http://www.hyperguide.co.uk/mha/>
- The Health Law Resource
<http://www.netreach.net/~wmanning/>
- Links from Center for Health Law Studies (St. Louis School of Law, Center for Health Law Studies)
<http://lawlib.slu.edu/healthcenter/index.html>
- Health Policy Sites
<http://www.ncsl.org/programs/health/forum/index.htm>
- Health Policy (Idea Central)
<http://tap.epn.org/idea/>
- The Medical and Public Health Law Site
<http://plague.law.umkc.edu>
- Reuters Health Links
<http://www.reutershealth.com>

- Bioethicsline
<http://www.healthgate.com/choice/AMA/search.html>

WWW Online Journals for Health Law

- Canadian Medical Association Journal
<http://www.cma.ca/cmaj/index.htm>
- Ethica: Ethics and Health: An International & Comparative Arena
<http://www.hf.uib.no/i/Filosofisk/ethica>
- Journal of Health Politics, Policy and Law
<http://www.jhppl.org/>
- The Milbank Quarterly: A Journal of Public Health and Health Care Policy
<http://www.hcp.med.harvard.edu/Milbank/quarterly/index.html>
- RISK (Journal of the Risk Assessment and Policy Association)
<http://www.fplc.edu/tfield/profrisk.htm>
- New England Journal of Medicine
<http://www.nejm.org/content/index.asp>
- Health Law News (from Law Journal EXTRA!)
<http://www.ljx.com/practice/health>

Government Sites for Health Law

- Health Canada
<http://www.hc-sc.gc.ca>
- Alberta Ministry of Health
<http://www.health.gov.ab.ca>
- British Columbia Ministry of Health
<http://www.hlth.gov.bc.ca>
- Manitoba Ministry of Health
<http://www.gov.mb.ca/health>
- New Brunswick Ministry of Health
<http://www.nih.gov>

Health Law Academic Programs

Undergraduate specialization

- Dalhousie
<http://www.dal.ca/law/hli/index.html>
- St. Louis
<http://lawlib.slu.edu/centers/hlthlaw/hlthlaw.htm>
- Houston
<http://www.law.uh.edu/healthlaw/>
- Boston University
<http://www.bumc.bu.edu/departments/homemain.asp?departmentID-95>
- Case Western Reserve
<http://lawwww.law.cwru.edu>
- Maryland
<http://law.ab.umd.edu>
- Seton Hall
<http://www.shu.edu/law/HeLPP/>

Graduate specialization

- DePaul
<http://www.droit.umontreal.ca>

- Loyola
<http://www.luc.edu/schools/law>
- UCLA Center for Health Policy Research
<http://www.healthpolicy.ucla.edu>
- The Institute of Mental Health Law
<http://www.imhl.com>
- The European Institute of Mental Health Law
<http://www.euroimhl.com>
- The Center for Reproductive Law and Policy
<http://www.crlp.org>
- The Allan Guttmacher Institute
(Reproductive Health Research, Policy Analysis and Public Education)
<http://www.agi-usa.org>
- Institute of Medicine, Law and Bioethics (UK)
<http://www.liv.ac.uk:80/~scooper/imlab.html>

Canadian Bioethics Institutes

- Clinical Research Institute of Montreal Centre for Bioethics
<http://www.ircm.umontreal.ca/bioethique>
- University of British Columbia
<http://www.ethics.ubc.ca>
- University of Toronto
<http://www.utoronto.ca/jcb>
- York University
<http://www.yorku.ca/mclaughlin/ethics/Ethics.htm>
- Dalhousie University
<http://www.medicine.dal.ca/BIOETHICS/>
- St. Joseph's College
<http://www.connect.ab.ca/~ethics/>
- University of Alberta
<http://www.ualberta.ca/~ethics/bethics.htm>

Professional Health Law Organizations

- Canadian Bar Association Health Law Section
<http://www.cba.org>
- American Society for Law, Medicine & Ethics
<http://www.aslme.org>
- American Health Lawyers Association
<http://www.healthlawyers.org>
- American Association of Nurse Attorneys
<http://www.taana.org>
- American Association of Legal Nurse Consultants
<http://www.aalnc.org>
- American Academy of Psychiatry and the Law
<http://www.cc.emory.edu/AAPL>
- American College of Legal Medicine
<http://www.aclm.org>
- American Bar Association Health Law Section
<http://abanet.org/health>

Related Professional Organizations and Sites

- Canadian Bioethics Society
- Canadian HIV/AIDS Legal Network and Lexis